



THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Feng Wang	
Appln. No. : 10/678,439	
Filed : October 3, 2003	Group Art Unit: 2652
Title : TRANSDUCING HEAD WITH REDUCED SIDE WRITING	Examiner: Robert S. Tupper
Docket No. : I69.12-0596	

**RESPONSE**

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**

Express Mail No.: EV 655618749 US

This is in response to the Office Action mailed on September 28, 2005, Applicant was required to elect a single disclosed species for prosecution, through the Office Action identified the species as: "(A)FIG. 2, (B) FIG. 4, (C) FIG. 5, (D) FIG. 6, and (E) FIG. 9."

Applicant provisionally elects species (E), with traverse.

The Office Action indicated that claim 1 was considered generic. In fact, all of the claims 1-31 are generic to all five of the species identified in the Office Action. The present invention is directed to reducing side writing in a transducing head, such as a perpendicular read/write head, by forming at least a portion of the element that produces side writing from a material that has a magnetic property that reduces side writing. As described in the Specification, a first embodiment of the invention uses a low moment magnetic material. A second embodiment uses a high coercivity, high permeability magnetic material.

Throughout the Specification, the present invention, (and in particular these two embodiments) is stated as being applicable to any perpendicular writer. For example, page 8, lines 16-20, the applications states:

“The concepts of the present invention may be applied in any perpendicular writer having a main pole and a return pole, as exemplified herein in detail, without any suggestion of limiting or restricting of the application of the present invention to the particular types of perpendicular writers illustrated in the examples.”

The first embodiment is discussed at page 16, line 28 through page 21, line 5 in conjunction with FIGS. 2, 4, 5, and 6 (FIG. 9 having not yet been described in the Specification).

The second embodiment is described beginning at page 21, line 6 through page 24, line 3. At page 22, line 27 through page 23, line 1 the Specification states:

“FIG. 2 is used to aid the reader in understanding the second embodiment of the present invention, but the high  $H_C$ , high permeability material can be used with any transducing head configurations, including the configuration shown in FIGS. 4, 5, 6, and 9.”

Beginning at line 4 of page 24, the perpendicular writer shown in FIG. 9 is discussed at lines 14 and 15 of page 24, the Specification states:

“To address these concerns, an alternative perpendicular writer that can incorporate the present invention is discussed with reference to FIG. 9.”


With respect to the subject matter that is actually claimed in independent claims 1-31, the species identified in the Office Action of September 28, 2005 are not patentably distinct. Each of the five species is disclosed as incorporating the subject matter of the claims. None of the claims are written so as to include any specific construction details of any one of the five identified species.

The restriction requirement should be withdrawn.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date: 10/27/05

By: 

David R. Fairbairn, Reg. No. 26,047

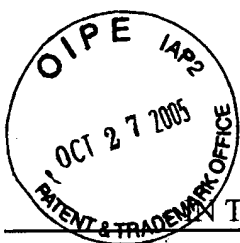
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10-28-05

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**EXPRESS MAIL COVER SHEET**

Mail Stop Amendment  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SENT VIA EXPRESS MAIL**

Express Mail No.: EV 655618749 US

The following papers are being transmitted via **EXPRESS MAIL** to the U.S. Patent and  
Trademark Office on the date shown below:

1. Response;
2. Fee Transmittal Sheet (in duplicate); and
3. Return Receipt Postcard.

Respectfully submitted,

KINNEY & LANGE, P.A.

Date:

10/27/05

By

David R. Fairbairn, Reg. No. 26,047  
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DRF:ks

**OIP FEE TRANSMITTAL****Complete if Known**

Application No.	10/678,439
Filing Date	October 3, 2003
First Named Inventor	Feng Wang
Group Art Unit	2652
Examiner Name	Robert S. Tupper
Atty. Docket Number	169.12-0596

Total Amount of Payment \$00.00

**METHOD OF PAYMENT (Check One)**

1. ☒ The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. 1.16 and 1.17 and credit any over payments to Deposit Account No.11-0982. Deposit Account Name: Kinney & Lange, P.A. A duplicate copy of this communication is enclosed.

2. ☐ Check Enclosed

**FEE CALCULATION****1. BASIC FILING FEE**

Appn. Type PD.	FILING FEE	SEARCH FEES	EXAM FEES	FEES
	FEE/SMALL	FEE/SMALL	FEE/SMALL	
Utility	300 / 150	500 / 250	200 / 100	—
Design	200 / 100	100 / 50	130 / 65	—
Reissue	300 / 150	500 / 250	600 / 300	—
Provisional	200 / 100	-0- / -0-	-0- / -0-	—

Subtotal (1) \$00.00

**2. EXTRA CLAIM FEES**

	Number Claims	Prior**	Extra	Fee from Fee Paid Below	
Total	* -	* =	* X	* =	*
Indep.	* -	* =	* X	* =	*
Multiple Dependent Claims				* =	*

\*\*Insert 3 and 20, or number previously paid if greater; Reissue see below

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent Claim
1204	200	2204	100	Reissue Independent Claims Over Original Patent
1205	50	2205	25	Reissue claims in excess of 20 and over original patent

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 small) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 C.F.R. 1.16(s). \$00.00

Subtotal (2) \$00.00

**FEE CALCULATION (Continued)****3. ADDITIONAL FEES**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee paid
1051	130	2051	65	Surcharge - Late filing fee or oath	*
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	*
1053	130	1053	130	Non-English specification	*
1812	2,520	1812	2,520	For Filing a Request for Reexamination	*
1251	120	2251	60	Extension for reply within first month	*
1252	450	2252	225	Extension for reply within second month	*
1253	1,020	2253	510	Extension for reply within third month	*
1254	1,590	2254	795	Extension for reply within fourth month	*
1255	2,160	2255	1,080	Extension for reply within fifth month	*
1402	500	2402	250	Filing a brief in support of an appeal	*
1403	1,000	2403	500	Request for oral hearing	*
1814	130	2814	65	Terminal Disclaimer Fee	*
1452	500	2452	250	Petition to revive - unavoidable	*
1453	1,500	2453	750	Petition to revive - unintentional	*
1501	1,400	2501	700	Utility/Reissue issue fee	*
1502	800	2502	400	Design issue fee	*
1460	130	1460	130	Petitions to the Commissioner	*
1807	50	1807	50	Petitions related to provisional applications	*
1806	180	1806	180	Submission of Information Disclosure Statement	*
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	*
1801	790	2801	395	Request for Continued Examination (RCE)	*
Other fee (specify) _____					*
Subtotal (3) \$00.00					

Signature

David R. Fairbairn

Date

10/27/05

Reg. No.

26,047

Deposit Account No.

11-0982